

Meeting Minutes
Planning & Zoning Commission
June 8, 2016

I. CALL TO ORDER:

The meeting of the Dagsboro Planning & Zoning Commission was called to order at 6:00 p.m. by Chairman Scott Crater. Those in attendance were Commissioners Flowers, Savage and Connor, Town Administrator Stacey Long, Town Engineer George Bendler with AECOM, and Sgt. Litten with the Dagsboro Police Department. Jim Thompson was in attendance as an audience member.

Jim Thompson submitted a letter to Chairman Crater and asked him to read it into the record. The letter was addressed to Mayor Truitt and copied to the Chair of P&Z. This letter was a result of a personal and confidential letter submitted to the Mayor on May 17th. After reviewing this letter, the Mayor responded to Mr. Thompson stating that his resignation was accepted by the Council and thanked him for his time served on the commission. The letter was copied to the Council and the Planning Commission members. The letter Jim Thompson is submitting tonight at the Planning & Zoning Commission stated that he did not resign from the P&Z Commission but he is stepping down from his position as Secretary on the committee. It was asked by the members how this is to be handled. Town Administrator Stacey Long stated that according to the Mayor, Council and P&Z Commission, Mr. Thompson submitted his resignation on May 17, 2016 in a letter mailed to the Mayor. If Mr. Thompson disagrees with this, he will need to address this with the Town Council and not the P&Z Commission. Stacey informed Mr. Thompson that he may sit as an audience member tonight and will not be permitted to participate as a member of the P&Z Commission until this matter is resolved. Mr. Thompson then shouted that if he is forced to leave the meeting, he will contact the media. Stacey tried to advise him that he will not be forced to leave as this is a public meeting. Staff Sergeant Litten then stood up and stated that we should continue with the meeting and if Mr. Thompson becomes disruptive to the meeting, he will intervene.

II. APPROVAL OF AGENDA:

Chairman Crater continued the meeting at this time. Commissioner Connor moved to approve the agenda with a second by Commissioner Savage. All were in favor and the motion carried.

III. APPROVAL OF MINUTES

Commissioner Connor made a motion to approve the May 11, 2016 minutes with the following revisions:

Under election of officers:

- Add "Chairman Crater disagrees with Jim Thompson's statement that the rules are not being followed."
- Commissioner Savage abstained from the vote of Jim Thompson as secretary.

Commissioner Flowers seconded the approval of the minutes. All were in favor and the motion carried.

IV. NEW BUSINESS

- A) Stacey explained that the applicant that requested a temporary sales permit for an ice cream trailer on 33225 Main Street stopped by Town Hall on Monday and stated that he was unsuccessful at obtaining off-street parking with his adjoining neighbor that owns the produce stand. He then advised her that he was going to check to see if the Masonic Lodge would allow his customers use their parking lot. He advised Stacey that he will contact her on Wednesday to confirm whether he was successful at obtaining that parking or if he would not be attending the meeting. Stacey asked if he was able to get the insurance on the property to conduct the business. Mr. King stated that "yes, he was able to obtain insurance". The applicants were not in attendance at this meeting. The commissioners discussed that there has been engineering fees and commissioners time spent on this request and feels that there should be an application fee involved with items such as these. After much discussion, Commissioner Connor moved to recommend to the Council to enact a \$250 Temporary Sales Permit Fee for any applicant requesting a temporary sales permit on a condemned property. He stated that a temporary sales permit for a regular property is cut and dry and does not require as much time and money for the review. Commissioner Flowers seconded the motion. All were in favor and the motion carried.
- B) Town Administrator Stacey Long informed the members of the commission that the rules and regulations of the commission were adopted in 2011. She explained that some of the rules were only to apply to major applications and not the smaller applications that are simple and do not require much review from the town staff and engineer.

Article V. Meetings E

Her recommendation is to define these applications that are major so that it is not interpreted that all applications (including minor ones) are not held up for months at a time if they do not submit before the 15th day of the preceding month. The change would be to add the following after the word "All" "Site Plan Review Applications and Major Subdivision Applications". She also recommended to add the following sentence at the end "Any other applications must be submitted no later than 10 business days prior to the regularly scheduled meeting".

Article V. Meetings (H)

It was recommended by Commissioner Flowers that letter (H) be moved up to be placed under letter (E) and to add the following after the word "Major", "subdivision applications and site plan review" to better define the meaning of a major application.

Article V. Meeting (B)

It was recommended by the Town Administrator that letter B is removed from the rules and regulations as it refers to Executive Session meetings and the Planning & Zoning Commission does not hold those types of meetings.

Article IV. Responsibilities of Officers and Members (C)

Stacey recommended that the statement "the secretary shall keep the minutes and records of all meetings of the commission" be revised to "the secretary shall transcribe the minutes of all the meetings of the commission" so that it is not interpreted that the minutes and other records be kept in the sole possession of the secretary as the documents must be kept and stored at Town Hall.

The commissioners asked that Stacey make the revisions she suggested and bring a revised copy back to the commissioners at the July meeting so that they can better understand the changes that are recommended.

- C) Chairman Crater explained that there are several businesses that are displaying their sale items in their yard and it is becoming unsightly. He feels that there should be regulations put in place for this. The commissioners discussed having these items placed in the rear of the property, not within the State or Town Right of Ways (sidewalks), no upholstered furniture should be placed outside, and possibly limit the square footage of space they are allotted to have sales displays outside. The commissioners asked Stacey to put some language together that addressed these concerns and bring it back to the July meeting.
- D) The commissioners discussed the unsightly dumpsters that are displayed all throughout town. Stacey explained that we now have a requirement in our code that states all dumpsters must be enclosed and on a concrete pad. The problem the commissioners want to address are the dumpsters of the businesses that have been in Dagsboro for many years and were not required to fence in their dumpster at the time they opened. Chairman Crater recommended that the Town Administrator draft up language that could be added to this section of the code stating that all businesses have 5 years to screen their dumpsters and place them on a concrete pad. This will be reviewed at the July meeting.

V. OLD BUSINESS

- A) Chairman Crater stated that several months ago he recommended that the signs throughout the Town Center Zoning District be brought into compliance within a certain amount of years. It was recommended by the committee and discussed at a Town Council meeting. One of the Council members recommend a five year period. It was voted on at a meeting to amend the ordinance but was rescinded at the end of the same meeting for unclear reasons. It was recommended by Commissioner Connor to resend this proposed amendment to the Council for a public hearing and vote and to include an exclusion from this requirement for the theater sign. The theater sign would only need to comply with the existing regulations if the owner of the property chooses to alter more than 50% of the existing one. Commissioner Savage seconded the motion. All were in favor and the motion carried.

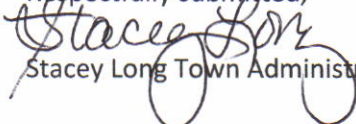
VI. PUBLIC COMMENT

There was no public comment at this time

VII. ADJOURNMENT

Commissioner Connor made a motion to adjourn the meeting at 7:24 p.m. Commissioner Savage seconded the motion. All were in favor and the motion carried.

Respectfully submitted,


Stacey Long Town Administrator